

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

-v-

JOEL SPIGELMAN,

Defendant.

05-CR-960 (JPO)

ORDER

J. PAUL OETKEN, District Judge:

On September 27, 2021, Defendant filed a motion requesting appointment of counsel and a sentence reduction under the First Step Act. (Dkt. No. 221.) On December 1, 2021, Defendant again requested appointment of counsel and a sentence reduction on the same grounds. (Dkt. No. 222.) Specifically, Defendant argued that at his trial, the drug quantity was determined by the trial court and not by the jury, as required under *Apprendi v. New Jersey*, 530 U.S. 466 (2000).

The Government is directed to file a response to Defendant's filings on or before December 29, 2021.

The Clerk of Court is directed to mail a copy of this order to Defendant.

SO ORDERED.

Dated: December 7, 2021
New York, New York



J. PAUL OETKEN
United States District Judge